

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION
Case No.: 6:06-CV-163-HMH**

AMY ZIMMERMAN,

Plaintiff,

v.

**HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY**

Defendant.

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**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

THIS MATTER COMES BEFORE THE COURT based upon representation by Plaintiff's attorney that the matter *sub judice* has been rendered moot. In the matter *sub judice*, Plaintiff filed her Complaint on January 15, 2006. In the matter *sub judice*, Plaintiff asked the Court to declare that she is entitled to short-term disability ("STD") and long-term disability ("LTD") benefits pursuant to ERISA 29 U.S.C.S. § 1132(a)(1)(B).

Hartford has approved Plaintiff's claim for STD and LTD benefits, subject to the terms and conditions of the policy (the "Policy") issued by Hartford to fund the disability portion of the employee benefit plan (the "Plan") sponsored by Plaintiff's employer, and of which Plaintiff is a participant. Specifically, Hartford's current approval of Plaintiff's claim for disability benefits is made subject to the terms and conditions of the Policy. Therefore, for good cause shown, the court hereby dismisses the matter *sub judice* as moot pursuant to Rule 41 of the Federal Rules of Civil Procedure.

NOW, THEREFORE, it is ORDERED, ADJUDGED AND DECREED that the matter *sub judice* shall be dismissed pursuant to Fed.R.Civ.P. 41 as moot and without prejudice should additional issues arise at a later date which create a justiciable controversy.

AND, IT IS SO ORDERED.

The 30th day of May, 2006.

s/Henry M. Herlong, Jr., Judge
United States District Court

WE CONSENT:

/s/ Robert E. Hoskins
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WE CONSENT:

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